

REMARKS

As a RCE is being filed herewith, it is requested that this amendment be entered and considered at this time.

Applicants will address each of the Examiner's objections and rejections in the order in which they appear in the Final Rejection.

Claim Rejections - 35 USC §112

In the Final Rejection, the Examiner rejects Claims 6-7, 10-12 and 19-47 under 35 USC §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

In particular, the Examiner contends that there is no support in the specification as originally filed for the term "continuously discharging". While Applicants respectfully disagree, in order to advance the prosecution of the application, Applicants are amending the claims to change this term to "discharging" (deleting "continuously") and respectfully request that this rejection now be withdrawn.

Claim Rejections - 35 USC §103

The Examiner also has the following rejections under 35 USC §103(a):

- A. Claims 6, 10-12, 19-20 22-25, 31, 33-37 and 39-42 as being unpatentable over Miyashita et al. in view of Horike, Iguchi and Kasubuchi et al.
- B. Claims 7, 21, 32 and 38 are rejected as being unpatentable over Miyashita in view of

Horike, Iguchi and Kasubuchi and further in view of Fujimura.

C. Claims 26, 28-30, 43 and 45-47 are rejected as being unpatentable over Miyashita in view of Horike, Iguchi and Kasubuchi and further in view of Kurosawa et al.

D. Claims 27 and 44 are rejected as being unpatentable over Miyashita in view of Horike, Iguchi and Kasubuchi and Kurosawa, and further in view of Fujimura.

Each of these rejections is respectfully traversed.

In particular, the claims of the present application are directed to a method wherein application liquid is discharged while the nozzle and the pixel column are directly connected through the application liquid comprising said organic light-emitting material. Applicants respectfully submit that none of the cited references disclose or suggest these claimed features.

Applicants also disagree with the Examiner and continue to assert that the §103 rejection lacks the requisite motivation or suggestion to combine Iguchi with the other cited references. Specifically, the Examiner appears to be relying on MPEP §2144.07 as providing support for the combination of the references in this rejection, and states that “the selection of something based on its known suitability for its intended use has been held to support a *prima facie* case of obviousness.” However, MPEP §2144.07 actually states that “[t]he selection of **a known material** based on its suitability for its intended use supported a *prima facie* obviousness determination...” (emphasis added). It is not merely the selection of “something” that will satisfy the test for this MPEP section, but it is the selection of a known material. This is further emphasized by next paragraph in this MPEP section which states that selection of a known plastic to make a container of a type made of plastics prior to the invention was held to be obvious in In re Leshin, 227 F.2d 197, 125 USPQ 416 (CCPA 1960). Hence, it appears that this MPEP section is only applicable in a case where the two

prior arts references are at least performing the same function (see end of MPEP §2144.07 citing Ryco, Inc. v. Ag-Bag, Corp., 857 F.2d 1418, 8 USPQ2d 1323 (Fed. Cir. 1988)).

In contrast, while the Examiner may regard a plasma display as a particular type of electroluminescent display (see e.g. page 3, final paragraph in Final Rejection), it is well known to those skilled in the art that a plasma display is a very different type of display than an electroluminescent (EL) display.¹

Further, in his “Response to Argument”, the Examiner appears to be arguing that Miyashita and Iguchi (along with Horike) both seek to apply an electroluminescent material to a substrate. Applicants disagree. Applicants believe that the function of “phosphor” in Iguchi is different from that of Miyashita. In particular, the phosphor in Iguchi functions as a photoluminescent material which emits light by absorbing another light. In contrast, Miyashita teaches forming an electroluminescent layer by an ink-jet method using an electroluminescent material, which emits light by applying an electric field.² Hence, the function of the materials in Miyashita and Iguchi are very different from each other. Therefore, MPEP §2144.07 is not appropriate to apply to the present situation, and as a result, the Examiner’s rejection continues to lack the necessary motivation or suggestion to combine Iguchi with the other cited references, and the rejection based thereon is improper.

Furthermore, with regard to Claims 26-30 and 43-47, these claims recite discharging the application liquid comprising said light-emitting material to the first and second pixel electrodes so

¹ An internet search of plasma and EL displays will quickly reveal that plasma displays and EL displays are very different and are not considered similar by those in the field.

² Applicants are submitting herewith in an IDS a reference “History of Electroluminescent Displays”. This article explains on page 1 the difference between photoluminescence and electroluminescence. See also e.g. U.S. 6,797,980, col. 7, lns. 26-42.

that the EL layer has a stripe shape over the first and second pixel electrodes. It is respectfully submitted that none of the cited references disclose or suggest this feature.

Accordingly, for at least the above-stated reasons, it is respectfully submitted that the claims of the present application are patentable over the cited references, and it is requested that these rejections be withdrawn.

Conclusion

Therefore, the present application is now in an allowable condition and should be allowed.

Please charge our deposit account 50/1039 for any further fee for this amendment.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. Murphy", is written over a horizontal line.

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